

Remarks

Claim rejections 35 USC § 103

It is noted that Applicants' arguments filed July 12, 2007 were not considered persuasive. Apart from one issue of substance (the relevance of Gagle's teaching at col. 5, lines 55-60, dealt with further below), Applicants' arguments seem to have been rebutted at least in part based on discrepancies in wording between the arguments on the one hand and the prior art disclosure or claims on the other hand.

Accordingly, Applicants rely on the substance of those arguments once again, but the arguments will be repeated below to ensure strict correspondence with the disputed wording, after commenting on the specific points at issue.

- *"Central call monitor server"*

It appears that no weight was given to that part of Applicants argument stating that "Gagle teaches that a central network server is an essential component", because the Examiner was unable to locate a reference in Gagle to a central network call monitor server.

Applicants should of course have referred to Gagle's "queue monitor server", and the argument from the last response, repeated below, has been corrected accordingly.

- *"Contact centers continue to load share"*

Applicants used this phrase as a shorthand expression for the claim wording, assuming that the issues were sufficiently clearly defined so as to allow a degree of informality without compromising the substance of the argument.

The phrase "ability for a subset of said contact centers to continue to load share", was a shorthand expression for the claimed "remaining ones of said plurality of contact centers continue to replicate and synchronise said contact objects and agent objects at each of said remaining ones of the plurality of contact centers".

The argument from the last response, repeated below, has been corrected accordingly, and Applicants then address the specific disclosure of Gagle relied on by the Examiner in rebutting this point.

- *“Notify other contact centers of changes in its stored contact objects and agent objects or changes in its mode of operation to a non-sharing mode for a particular contact or a period of time etc.”*

The above phrase (which makes sense in context when one reads the preceding words “when one of the contact centers fails at least in respect of its ability to notify other contact centers ...” etc.) was a shorthand expression for the claimed “if there is a fault or a change of mode of operation at one of said plurality of contact centers”.

The argument from the last response, repeated below, has been corrected accordingly, and Applicants then address the specific disclosure of Gagle relied on by the Examiner in rebutting this point.

Accordingly, the central argument of the last response, which Applicants submit again for consideration, should have read as follows:

As indicated in detail in Applicants’ last response, the relevant parts of which should be considered as comprising a part of this response, Gagle teaches that a central queue monitor server is an essential component. Therefore, even though the individual contacts centers of Gagle can continue to operate separately when the queue monitor server fails, there is no provision whereby “remaining ones of said plurality of contact centers continue to replicate and synchronise said contact objects and agent objects at each of said remaining ones of the plurality of contact centers” as is possible in the system of the present invention “if there is a fault or a change of mode of operation at one of said plurality of contact centers”.

In rebutting this argument, the Examiner relies on Gagle at col. 5, lines 56-60. The paragraph in question, from lines 53 to 60, reads:

In a preferred embodiment, if the queue monitor server 26 fails, each respective call center server 24 can continue receiving and processing calls on its respective server but a view of the activity across the other call centers is no longer available. Alternatively or additionally, a fail-over queue monitor server 26 can be utilized when the primary queue monitor server 26 fails to ensure that the other call queues are still updated with the complete view of all activity.”

Gagle thus confirms the point Applicants have argued: the queue monitor server is essential to the replication of contacts across the different call centers. When the queue monitor server fails, each call center reverts to a stand-alone mode of operation ("the view of activity across the other call centers is no longer available"), and thus the replication of the contact queues across different call centers comes to a halt when this central queue monitor server fails. The only way of avoiding this result is to duplicate the queue monitor server with a back-up or fail-over queue monitor server. Irrespective of whether one or two instances of this queue monitor server are provided, the network of contact centers require a working "central controller" (as it is referred to in Applicants' claims) of some sort to ensure updating across call centers and to avoid stand-alone operation.

Contrast this with the claimed wording: *"whereby the network comprising said plurality of contact centers does not require a central controller and said plurality of contact centers is further arranged such that, if there a fault or a change of mode of operation at one of said plurality of contact centers, remaining ones of said plurality of contact centers continue to replicate and synchronize said contact objects and agent objects at each of said remaining ones of the plurality of contact centers"* [Emphasis added].

Gagle does require a central controller, as the passage pointed to by the Examiner makes clear. Without it, each call center operates in stand-alone mode, and there is no mechanism for contact centers continuing to replicate and synchronize contact objects (or of course agent objects) at remaining ones of the plurality of contact centers as claimed.

The Office Action states that "the call queue server is a distributor not a controller". This distinction is artificial. A distributor controls the distribution of calls. It is thus a central controller of the type excluded by claim 1.

Therefore, there is nothing in the disclosure of Allen that makes up for the deficiencies in Gagle or that would lead one skilled in the art to the arrangement of the present invention as defined by claim 1. The combination of Gagle and Allen does not teach all of the limitations of claim 1 and the combination cannot result in the network arrangement defined by claim 1. Independent claims 7, 8 and 13 are

generally consistent with the wording of claim 1 and thus the foregoing submissions are equally applicable thereto.

Deficiencies of Allen

Even if the arguments set out above are not considered persuasive, there is a further and independent reason why the invention cannot be considered obvious over the alleged combination of Gagle and Allen. Independent consideration is therefore requested in relation to the following argument.

The Examiner acknowledges that "Gagle does not explicitly teach agent objects being synchronized", before continuing: "Allen does teach this limitation (paragraph 10) to select best-fit agent. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Gagle with agent object being synchronized to select the best fit agent for a call (paragraph 10, lines 15-16) as taught by Allen."

However, synchronization is a process involving two or more systems being brought into correspondence, so it cannot be defined without specifying what is acted on. The rejection assumes that mere "synchronization" of any kind is the only point at issue, and that Allen teaches this concept.

However, Applicants respectfully submit that the claim wording is crucial, and the Examiner emphasized this point in relation to e.g. "load sharing" when Applicants' paraphrased wording was dismissed as being of no relevance. Accordingly, Applicants direct attention to the claim wording in relation to the requirement to synchronize agent objects. Claim 1 requires:

"said plurality of contact centers being arranged to replicate and synchronize said ... agent objects at each of the plurality of contact centers";

and

"said plurality of contact centers is further arranged such that, if there is a fault or a change of mode of operation at one of said plurality of contact centers, remaining ones of said plurality of contact centers continue to replicate and synchronize said ... agent objects at each of said remaining ones of the plurality of contact centers."

Since Gagle clearly lacks these features, the question to be answered is whether Allen supplies the missing teaching. In paragraph 10, which the Examiner relied on in this regard, Allen says the following:

In one embodiment of the present invention, there is a method for maintaining skills for agents of a contact center and synchronizing skills in a central database with a routing system. Agent profiles may be stored in a central skill database for a set of agents. A skill-impacting system (such as an education system, a satisfaction system or a metrics system) may send skill/capability data for an agent. The agent's profile in the central skill database may be updated based on the received skill data. Either immediately or at a predetermined interval, the routing system may be synchronized with the new data in the central skill database. When the contact center receives a contact (such as a phone call, an email, a web chat, an instant message, or a fax) from a customer, processing logic in the routing system may select a best-fit agent based on availability and skill data from the agent profiles. Other embodiments of the present invention operate differently to synchronize skill data.

The sum total of this disclosure is that agent skills are kept updated in an agent database within a contact center according to education, satisfaction ratings, or metrics. The routing system within a contact center is synchronized with this latest agent data. In this way, the best-fit agent is determined according to the most up-to-date agent profile.

Allen is entirely directed to the architecture and operation of a single contact center. There is no suggestion that a plurality of contact centers are arranged to replicate and synchronize agent objects at each of the plurality of contact centers, as is required by claim 1. In consequence, there is also no further arrangement, also required by claim 1 such that, if there is a fault or a change of mode of operation at one of said plurality of contact centers, remaining ones of said plurality of contact centers continue to replicate and synchronize said agent objects at each of said remaining ones of the plurality of contact centers.

Since these features are neither taught nor suggested by Allen, and as the synchronization of the routing system with the agent's profile in the skill database

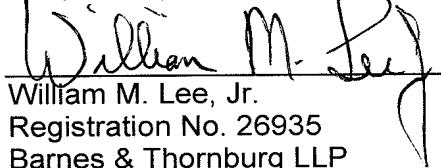
does not provide any relevant teaching regarding the replication and synchronization of agent objects across a plurality of contact centers, neither Gagle nor Allen, alone or in combination, can lead to the claimed invention. This argument, which is made in addition to and independently of the arguments over Gagle, applies equally to the corresponding features of independent claims 7, 8 and 13.

Accordingly, for this additional reason, the combination of Gagle and Allen does not teach all of the limitations of claim 1 and the combination cannot result in the network arrangement defined by claim 1. Independent claims 7, 8 and 13 are generally consistent with the wording of claim 1 and thus the foregoing submissions are equally applicable thereto.

In view of the arguments made herein, the applicants respectfully request the Examiner withdraw the rejections, and allow the application.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

William M. Lee, Jr.
Registration No. 26935
Barnes & Thornburg LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
(312) 759-5646 – Fax